

The Police Commission of the City and County of San Francisco met via videoconference at 5:40 p.m.

PRESENT: Commissioners Elias, Byrne, Yee, Benedicto, Carter-Oberstone
ABSENT: Commissioner Yanez

GENERAL PUBLIC COMMENT

Francisco Dacosta spoke of what’s going on at commission meetings and how the commission attacks the Chief and not dealing with quality of life issues.

Susan Buckman spoke of how the meeting was not posted at its usual page and went on to read a quote from their founder regarding anti Black racism by SFPD and the end of pretext traffic stops.

David Aaronson, Wealth & Disparities, read a quote from their founder regarding anti Black racism by SFPD and ending pretext traffic stops.

Kitt Hodge, Wealth & Disparities echoed what was said by previous callers.

ADOPTION OF MINUTES

- **For the meetings of May 4 and 11, 2022**

Motion by Commissioner Yee, second by Commissioner Benedicto. Approved 5-0

AYES: Commissioner Benedicto, Carter-Oberstone, Byrne, Yee, Elias

PUBLIC COMMENT

None

CONSENT CALENDAR

- **SFPD SB 1421 & SB 16 Monthly Report**
- **DPA SB 1421 & SB 16 Monthly Report**
- **CRI Monthly Report**
- **1st Quarter 2022 Safe Streets for all Report**

Motion by Commissioner Benedicto, second by Commissioner Yee. Approved 5-0.

AYES: Commissioner Benedicto, Carter-Oberstone, Byrne, Yee, Elias

PUBLIC COMMENT

None

Chief’s Report

- **Weekly crime trends**
- **Major/Significant Incidents**

Chief Scott reported on crime trends YTD: Violent Crime up 4 percent; homicide up 11 percent; rape up 13 percent; robbery down 3 percent; assault up 12 percent; human trafficking down 27 percent. Property Crimes up 10 percent; burglary down 26 percent; motor vehicle theft up 3 percent; arson down 18 percent; larceny theft up 24 percent. Gun violence is down 14 percent compared to 2021; 6 shooting incidents for the week ending on 5/29/22; total 72 incidents resulting in 81 victims YTD. No homicide for the week ending 5/29/22; there are a total of 16 homicides YTD. 387 guns seized; 80 ghost guns seized YTD.

Significant incidents: The Chief reported on two homicides that just happened: (1) A stabbing that occurred this morning, suspect not identified; (2) Overnight incident that happened at 16th Street and Utah involved a suspect who attempted to attack a security guard with a knife. The security guard used his firearm a shot suspect; investigation is ongoing. The Chief then reported on six shooting incidents: (1) 500 block of Howard, May 30th; (2) 1000 block of Potrero, on May 28th; (3) 1400 block of Lasalle in the Bayview, on May 25th; (4) 10 and Harrison in the Southern, on May 24th; (5) Hyde and

Fulton in the Tenderloin, on May 24th; (6) 21st and Folsom in the Mission, on May 23rd. Investigations are ongoing on all the above shootings.

Traffic Fatality: The Chief reported on a traffic fatality on Octavia and Oak Street in the Northern involving a garbage truck and an individual who, according to witnesses, ran through a red light. Individual did not survive; investigation is ongoing.

Significant Arrests: The Chief talked about significant arrests: (1) Hot prowl burglary that occurred on March 12, 2021, in the 2000 block of Sacramento. Victim and her husband were home when they noticed a light on in the other room. One of the victims saw a subject ransacking the room. As victim screamed, suspect ran out of the house. On May 21st, suspect was identified, booked, and detained for the hot prowl and for outstanding warrants. Subject was on felony probation for burglary at the time of the incident. (2) Another arrest was on a jewelry store burglary that occurred on February 19, 2022 at a jewelry store on Grant Avenue. Two suspects smashed the glass window, entered the store. On March 4th, a residential burglary was committed on Francis Scalia Street in which a stolen vehicle was used. Through the investigation, a suspect was identified and a \$100,000 Ramey warrant was issued for the suspect. Suspect was located and detained for 1st degree burglary and 2nd degree burglary, a count of grant theft, and two counts of vandalism. Suspect was on active felony probation for 10851 for the California Vehicle Code in San Mateo County at the time of the incidents and is also a suspect in another burglary that the department is actively investigating. (3) Another arrest on an aggravated assault that occurred on May 8th, victim was walking on Polk and Willow, when suspect approached victim from behind and strangled her. Victim tried to fight by hitting suspect with her bag. Suspect was identified on May 21st, located and booked for assault. Suspect was already in custody for a kidnapping and rape attempt that occurred nine hours after the incident.

The Chief reported on an uptick in the number of Covid cases in the Department. There is a total of 58 members quarantined; 51 are positive tests and the others for exposure.

Major events: This week starts the beginning of the NBA Finals hosted by the Golden State Warriors with the Boston Celtics. The Department is ready and will be deployed in and around the Chase Center and along the corridors where people are walking to and from the venues in the area.

The Chief reported on the OIS townhall held on Friday, May 27th. The Chief stated that there were over 300 people who chimed in and over 5000 viewers on u-tube that accessed the meeting.

PUBLIC COMMENT

Ms. Paulette Brown called on behalf of her son who was murdered and how his case is still unsolved. She asked for justice for her son, Aubrey Abrakasa.

DPA Director's Report

- Report on recent DPA activities, and announcement

Chief of Staff Sarah Hawkins reported: In the year 2022: 281 cases opened; 283 closed; 257 pending; 28 cases sustained; 23 cases past 270-day; 8 cases mediated. Cases received in the past week: 47 new cases; 3 failed to properly investigate and provided incorrect information; 11 made inappropriate statements, failed to properly investigate and dissuaded a person to file a report; 5 detained and searched an individual without justification, OIS; 5 failed to respond to a call for service; 2 failed to make an arrest for a DUI; 1 recovered a stolen vehicle but released the vehicle to the wrong party; 6 respond to a call of service and unlawfully searched a complainant's home; 6 made inappropriate comments and an officer parked their vehicle in an illegal parking spot; 3 failed to investigate a hate crime at the airport; 6 referral: officers failed to take a police report and falsely arrested and charged a complainant; 2 referral.

Audit: DPA reviewed SFPD's 18-month responses to recommendations in DPA 2020 Use of Force audit. SFPD have implemented 20 of the 37 recommendations.

Outreach: Can be found on community calendar on the DPA's website and posted on Tweeter, Facebook, Instagram and on DHR's website: On May 17th, DPA presented at the Department of Public Health Behavioral Health Services Providers. This is a presentation attended by service providers focused on children and families. On May 25th, one of DPA's investigator gave a presentation on SF Bay Area Chinese radio.

PUBLIC COMMENT

None

Commission Reports

- **Commission President's Report**
- **Commissioners' Reports**
- **Commission announcements and scheduling of items identified for consideration at future Commission Meetings.**

Commissioner Elias announced that she had asked Commissioner Benedicto to be the liaison to the DPA audit.

Commissioner Benedicto reported that he met with DPA staff on the status of audits and audit responses and is looking forward to keeping that discussion going. He also reported that he attended the Major City Chiefs Association and the Executive Research Forum conference. He was able to attend the morning session and hopes to attend additional sessions tomorrow. He went on to encourage the public for their feedback on the pretext stops DGO. He asked for an update on CIT training including what percentage of the department have completed the full 40-hour Cit course and what progress, if any, on continuing education requirement where officers are required to complete some refresher course.

Commissioner Carter-Oberstone reported that two weeks ago he visited Central Station and that it was a productive visit and great to talk to the officers and hear their thoughts and concerns about what the Commission is doing and the state of the Department in general. He thanked Captain Ng, Lieutenant Gasanyan, and Sergeant Ozol for allowing him to address the officers and to all the officers who took the time to speak to him afterwards and thanked Officer Heredia, who gave him a tour of the station and actually proposed a couple of good ideas for policies that the department could implement. He asked to agendize a presentation from the Department regarding its current efforts to recruit female officers.

Commissioner Yee echoed what Commissioner Carter-Oberstone said about Central Station and commended Captain Julian Ng for his work. He also talked about the hiring of more female officers. He also reported on attending a virtual meeting on Public Safety Neighborhood Service Committee. He stated that they are putting forth a community policing plan for adding additional foot and bike patrol. The plan is coming out on June 7th and that there will be a public hearing and will update the commission on its next meeting.

PUBLIC COMMENT

None

PRESENTATION OF THE 4TH QUARTER 2021 DISCIPLINARY REVIEW BOARD ("DRB") FINDINGS & RECOMMENDATIONS

A/Chief of Staff Rob O'Sullivan and DPA Chief of Staff Sarah Hawkins presented the 4th Quarter Disciplinary Review Board ("DRB") findings and recommendations.

PUBLIC COMMENT

Francisco Dacosta stated that SFPD's police force has been reduced to 1,200 and a lot of the officer are under stress and stated that things have to change and find a model closer to restorative justice instead of treating officers like brats.

Yulanda Williams, OFJ President, stated that the officers are overworked and that there is a lot of expectations put on the officers and that they are stressed out. She recommended to find a way to get the officers back into their 40-hour work week and give them additional down time. She also recommended that during advanced officers training, engage the officers during their training at the academy on what is going on and get feedback from them on how it can be resolved.

DISCUSSION AND POSSIBLE ACTION TO APPROVE REVISED DRAFT DEPARTMENT GENERAL ORDER 8.01, "MAJOR AND CRITICAL INCIDENT EVALUATION AND NOTIFICATION," FOR MEETING AND CONFERRING WITH THE SFPOA AS REQUIRED BY LAW

Deputy Chief Perea and Captain Jaimerena presented the draft DGO 8.01, "Major and Critical Incident Evaluation and Notification."

Commissioner Elias asked that the draft DGO be sent to Lieutenant Nevin and his unit for review. Commissioner Elias explained that in light of the OIS there should be more information or steps laid out in the DGO and more concrete procedures on what happens during critical incidents.

PUBLIC COMMENT

Francisco Dacosta spoke of incident commanders who can train officers on sound needs assessment and that it's training.

Susan Buckman spoke of concerns regarding DGO 8.01 and asked what are department values.

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner Yee, second by Commissioner Elias. Approved 5-0

(AYES: Commissioners Benedicto, Carter-Oberstone, Byrne, Yee, Elias)

CLOSED SESSION

Roll Call;

a. THE COMMISSION IS NOT MEETING WITH THE SF POLICE OFFICERS ASSOCIATION IN CLOSED SESSION.

CONFERENCE WITH LABOR NEGOTIATOR – COLLECTIVE BARGAINING. This item is for the Commission to meet in closed session with their labor negotiator and provide direction for bargaining with the San Francisco Police Officers Association (POA). The POA is not permitted to attend this closed session meeting.

Pursuant to Government Code Section 54957.6 and San Francisco Administrative Code Section 67.10(e):

City Negotiator: LaWanna Preston, SFPD Labor Relations Director

Organization representing Police Officers: SF Police Officers Association

Anticipated Issues Under Negotiation: Department General Order 8.02, "Hostage and Barricaded Suspect"

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Benedicto, Chief Scott, A/Chief of Staff Rob O'Sullivan, Deputy City Attorney Cabrera, Director Preston, Sgt. Reynolds)

b. PERSONNEL EXCEPTION. Pursuant to Government Code Section 54957(b)(1) and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:

Discussion and possible action to take disciplinary charges filed in Case No. IAD ALW 2019-0104 off calendar due to member's resignation effective closed of business April 30, 2022

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Benedicto, Chief Scott, A/Chief of Staff Rob O'Sullivan, Deputy City Attorney Cabrera, Sgt. Reynolds)

c. PERSONNEL EXCEPTION. Pursuant to Government Code Section 54957(b)(1) and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:

Status and calendaring of pending disciplinary cases (ACTION)

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Benedicto, Chief Scott, A/Chief of Staff Rob O'Sullivan, Deputy City Attorney Cabrera, Sgt. Reynolds)

OPEN SESSION

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

Motion by Commissioner Yee, second by Commission Elias for non-disclosure. Approved 5-0.

(AYES: Commissioners Benedicto, Carter-Oberstone, Byrne, Yee, Elias)

PUBLIC COMMENT

None

ADJOURNMENT

Thereafter, the meeting was adjourned at 8:09 p.m.

Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission

The Police Commission of the City and County of San Francisco met via videoconference at 5:39 p.m.

PRESENT: Commissioners Elias, Byrne, Yee, Yanez, Benedicto, Carter-Oberstone

GENERAL PUBLIC COMMENT

Francisco Dacosta stated he has been attending the meeting for over 35 years and stated that it is time to unite the Commissioners and the Command Staff.

Wesley Savers, Glide, spoke of DGO 9.01, Traffic Stops, and asked when the working groups will begin and is hoping for a timeline and should proceed aggressively.

Rita Lark asked to when the Commission will have a community meeting in North Beach because there is a lot going on and things need to be said.

Jean Bridges, Wealth and Disparities, read a quote from their founder in regard to anti Black bias by SFPD and asked for a follow-up on the traffic stop discussion.

Chief's Report

- **Weekly crime trends**
- **Major/Significant Incidents**

Chief Scott reported on crime trends YTD: Violent Crime up 4 percent; homicide up 11 percent; rape up 9 percent; robbery down 3 percent; assault up 11 percent; human trafficking down 35 percent. Property Crimes up 8 percent; burglary down 26 percent; motor vehicle theft up 2 percent; arson down 16 percent; larceny theft up 20 percent. Gun violence is down 8 percent compared to 2021; 5 shooting incidents for the week ending on 5/8/22; total 62 incidents resulting in 71 victims YTD. No homicide for the week ending 6/5/22; there are a total of 20 homicides YTD. 409 firearms seized; 91 ghost guns seized YTD.

Significant arrests: Four arrests on stabbing-related homicides: (1) Arrest on a homicide on Turk and Jones that occurred on June 1, 2022, suspect turned himself in and was arrested; (2) arrest on homicide that occurred on June 3, 2022, at 15th and South Van Ness, two suspects arrested; (3) arrest on stabbing that occurred on April 7, 2022. (4) arrest on shooting that occurred on 500 block of Howard; one person arrested. The Chief also talked about arrests made on smash & grab organized retail series that occurred between March 18th to April 10, 2022; 10 different smash and grab retail thefts occurred at locations that spans six different police stations in the city, numerous arrests were made with the suspects ranging from age 14 to 16. The Chief also talked about an arrest on a home invasion robbery that occurred on March 16th involving a suspect who forced the victim to transfer over \$3 million into the suspect's account. Investigation revealed that the suspect left the country. The Department worked with federal and international law enforcement partners and were able to locate the suspect. Suspect was arrested in Taiwan and brought back to San Francisco. The last arrest on April 20th burglary at the Sun Glass Hut on Jefferson Street. Video from the incident revealed that the suspect was wearing an ankle monitor. Investigators were able to link the ankle monitor to the suspect who was located and booked. The Chief commended all the investigators who are working very hard to bring these cases to resolution.

Strategies: Bayview, 3rd Street corridor, robbery and burglary abatement patrols, plain clothes officers working with foot beat officers with the focus on commercial burglaries; Ingleside, focus on residential burglary with patrols, passing calls and also plainclothes units; Southern, car break-ins, officers deployed in areas where break-ins are occurring; increased narcotics enforcement on 7th and Mission, 8th and Mission, 7th Street & Minna.

Stunt Driving Incident: Unit was notified of side shows in Oakland on Jun 6th and was notified that individuals involved were coming to San Francisco. The Stunt Driving Response Unit went to locations known to have these events in the city prior to the arrival of the cars and the people. As a result, the event was prevented from happening,

PUBLIC COMMENT

None

DPA Director's Report

- Report on recent DPA activities, and announcement

Director Henderson reported: In the year 2022: 294 cases opened; 291 closed; 262 pending; 32 cases sustained; 20 cases past 270-day; 10 cases mediated. Cases received in the past week: 9 new cases; 1 failed to shut down a sideshow; 1 arrested a complainant and impounded vehicle; 1 failed to arrest a driver who slapped the complainant; 1 continually disregard a neighbor dispute; 1 brandished a shotgun in front of children; 1 failed to arrest a suspect for assault; 1 failed to provide an incident report; 2 wrote an inaccurate police report.

Director Henderson talked about the Civic Bridge working with DS Associates creating a new level of transparency for the agency. They are now on the last test phase of the new site where complainants will be able to log in to look at their own case status and be able to submit and receive documents from the DPA. He also talked about being on the task force working with the Governor's Office on the POST certification process. It is continuing to move forward both with the training for the Commission that the State will select that will be evaluating POST certification decertification to understand use of force and come up with standards for decertification for bad behavior and misconduct.

Outreach: Can be found on community calendar on the DPA's website and posted on Tweeter, Facebook, Instagram and on DHR's website: May 31st, presentation at Mission Station at their Community Meeting.

PUBLIC COMMENT

None

Commission Reports

- **Commission President's Report**
- **Commissioners' Reports**
- **Commission announcements and scheduling of items identified for consideration at future Commission Meetings.**

Commissioner Benedicto reported that he along with Commissioner Yee attended the press conference with Supervisor Gordon Mar regarding crime prevention and community policing plans. He also gave an update on DGO 9.01 regarding pretext stops and he stated he met with Wealth and Disparities and that he and Commissioner Carter-Oberstone had discussions with the Coalition to End Bias Stops and stated that the Commission needs to move with urgency on the policy. He also stated that Commissioner Carter-Oberstone is working with the Human Rights Commission and DPA to set up town halls and listening sessions and also reported that the Coalition to End Bias Stops are also setting up town halls and listening sessions to which Commissioners can attend. He also stated that he plans to meet with district stations and meet with stations community advisory boards and the department to get their input. He asked Commissioner Elias to formulate the process of working groups on this DGO.

Commissioner Elias stated that the next steps will be scheduling and convening the working groups.

Commissioner Yanez spoke of recruitment for women officers and asked to include recruitment efforts to local communities and asked for a presentation regarding Community Policing DGO.

Commissioner Yee thanked Commissioner Benedicto for joining Supervisor Gordon Mar's press conference and talked about foot patrols and that funding be allocated to the police department. He also attended the SFPD API Forum chaired by Dennis Chu to talk about issues about morale and recruitment that is reflective of the community.

PUBLIC COMMENT

None

DISCUSSION REGARDING SFPD MORALE

Chief Scott presented the SFPD Morale presentation. Factors impacting morale:

- Resources – lack of staffing necessary to do the job at hand
- Internal Support – Consistency & fairness of command staff; command staff attention or concern for the health & wellbeing of line officers; level of trust the command staff has in its officers; lack of organization support for line officer.
- External Support – Lack of support for Department and its members; one sided, biased reporting regarding police incidents and/or the Department; negative & disrespectful public comment by members of the commission about the Department and its members; perception of unfair prosecutions of officers.
- Policy Impacts- Mixed messages and/or unrealistic policing expectations.
- Political Impacts – Negative and vitriolic sociopolitical factors regarding policing in general and specifically regarding the SFPD and its members.

Impacts to Morale: Officers have reported the following top five emotions that negatively impact their morale: Unappreciated, frustrated, worried, beaten down, angry.

Strategies to address morale:

- Wellness & concern for line officers & members
- Organizational Support (training, staffing mitigation strategies, members appreciation efforts)
- Command Staff Leadership Development
- Facilities, Equipment, Vehicle upgrades
- Internal Procedural Justice Consistency & Fairness of Discipline System

Moving forward, SFPD is working with Stanford University SPARQ (Social Psychological Answers to Real-world Questions) to address morale and culture.

POA President Tracy McCray addressed the Commission regarding support of the members because when members don't feel supported, the reasoning for doing their job come into question. Training is good but hampered with staffing. What can be done to improve morale: salary that will allow members to leave in the city; overtime, how much overtime can members work to cover staffing, stretching workforce to its breaking point. We want membership that can continue to work and at the same time have the support and recognition that they are valued. She talked of conducting a 5-question poll and stated over 54 percent stated that they are planning to leave the department. She stated that whatever can be done to up the morale, please, let's do it. Lieutenant McCray stated that the membership would like to have clear concise policies so that officers know what they can and cannot do.

Commissioner Elias encouraged the members to comment, voice their concerns, and give input on how the Commission can make policies clearer.

OFC President Yulanda Williams spoke of morale at an all time low with the officers and that it is based that officers do not think they are valued due to demand of staffing. She stated officers are seeing inconsistencies and disparities in the disciplinary process and that the performance appraisal is non-existent and that officers should be encouraged about the importance of career development. She spoke of the lack of promotions of Black men and women to the command staff. She spoke of reform and asked where is the equity. She stated people want to be valued. She stated that the department needs to evaluate what it is doing.

PUBLIC COMMENT

Francisco Dacosta spoke of the word uplifting to reduce the Commission's implicit biases and spoke of staffing.

PUBLIC COMMENT ON ALL MATTERS PERTAININ TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner Yee, second by Commissioner Elias. Approved 6-0

(AYES: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Yanez, Benedicto)

CLOSED SESSION (8:35 p.m. -

Closed Session

Roll Call;

a. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation. Pursuant to Government Code Section 54956.9(d)(1) and San Francisco Administrative Code Section 67.10(d)(1):

Breonna Richard v. City and County of San Francisco, et al., U.S. District Court, Case No. 20-CV-04276-KAW, filed July 13, 2020 (ACTION)

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Yanez, Benedicto, Chief Scott, Deputy Chief O’Sullivan, Deputy City Attorney Cabrera, Deputy City Attorney Porianda, Sgt. Youngblood, Sgt. Reynolds, Risa Tom)

b. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation. Pursuant to Government Code Section 54956.9(d)(1) and San Francisco Administrative Code Section 67.10(d)(1):

Kevin Lee v. City and County of San Francisco, San Francisco Superior Court, Case No. CGC-19-580969, filed November 22, 2019 (ACTION)

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Yanez, Benedicto, Chief Scott, Deputy Chief O’Sullivan, Deputy City Attorney Cabrera, Deputy City Attorney Porianda, Sgt. Youngblood, Sgt. Reynolds, Risa Tom)

c. PERSONNEL EXCEPTION. Pursuant to Government Code section 54957(b)(1) and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:

Discussion and possible action to accept or reject settlement agreement filed in Case No. DPA 00043097, or take other action, if necessary (DISCUSSION & POSSIBLE ACTION)

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Yanez, Benedicto, Chief Scott, Deputy Chief O’Sullivan, Deputy City Attorney Porianda, Sgt. Youngblood, Sgt. Reynolds, Risa Tom, Attorney Diana Rosenstein, Attorney Julia Fox, members involved)

(These proceedings were taken in shorthand form by Ms. Mary Ferreira, CSR., Behmke Reporting & Video Services)

d. PERSONNEL EXCEPTION. Pursuant to Government Code Section 54957(b) (1) and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:

Discussion and possible action to adopt proposed Findings of Fact regarding the Commission's decision in non-disciplinary charges filed or take other action if necessary (ACTION)

(I) Case No. IAD 2021-0310

(II) Case No. IAD 2021-0259

(III) Case No. IAD 2021-0285

(IV) Case No. IAD 2021-0278

(V) Case No. IAD 2021-0258

(VI) Case No. IAD 2021-0166

(VII) Case No. IAD 2021-0150

(VIII) Case No. IAD 2021-0289

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Yanez, Benedicto, Deputy City Attorney Porianda, Sgt. Youngblood, Sgt. Reynolds, Risa Tom)

e. PERSONNEL EXCEPTION. Pursuant to Government Code Section 54957(b) (1) and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:

Discussion and possible action to adopt proposed Findings of Fact regarding the Commission's decision in disciplinary charges filed in Case No. IAD 2015-0076, or take other action if necessary (ACTION)

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Yanez, Benedicto, Deputy City Attorney Porianda, Sgt. Youngblood, Sgt. Reynolds, Risa Tom)

f. PERSONNEL EXCEPTION. Pursuant to Government Code Section 54957(b)(1) and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:

Assignment of a Commissioner for the taking of evidence on non-disciplinary charges filed in Case No. DPA 45791-21A and DPA 457291-21B (ACTION)

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Yanez, Benedicto, Deputy City Attorney Porianda, Sgt. Youngblood, Sgt. Reynolds, Risa Tom)

g. PERSONNEL EXCEPTION. Pursuant to Government Code Section 54957(b)(1) and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:

Status and calendaring of pending disciplinary cases (ACTION)

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Yanez, Benedicto, Deputy City Attorney Porianda, Sgt. Youngblood, Sgt. Reynolds, Risa Tom)

OPEN SESSION (9:26 p.m.)

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

Motion by Commissioner Yee, second by Commission Elias for non-disclosure. Approved 6-0.

PUBLIC COMMENT

None

ADJOURNMENT

Thereafter, the meeting was adjourned at 9:27 p.m.

Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission

JUNE 15 2022

REMOTE MEETING VIA VIDEOCONFERENCE

The Police Commission of the City and County of San Francisco met via videoconference at 5:32 p.m.

PRESENT: Commissioners Elias, Byrne, Yee, Carter-Oberstone, Benedicto, Yanez

GENERAL PUBLIC COMMENT

Brian Cox spoke regarding DGO 9.01 and stated it's been more than a month since the DGO was introduced. He stated he is looking forward to hearing more about the process and when it will begin.

David Calderon spoke of having two DPA complaints and how the investigation is now closed and how DPA is ignoring his calls and asked Ms. Rosenstein to assist him with this matter.

CONSENT CALENDAR

- **SFPD SB 1421 & SB 16 Monthly Report**
- **DPA SB 1421 & SB 16 Monthly Report**
- **CRI Monthly Report**

Motion by Commissioner Benedicto, second by Commissioner Byrne. Approved 6-0.

AYES: Commissioner Benedicto, Carter-Oberstone, Byrne, Yee, Elias

PUBLIC COMMENT

None

Chief's Report

- **Weekly crime trends**
- **Major/Significant Incidents**

Chief Scott reported on crime trends YTD: Violent Crime up 4 percent; homicide up 4 percent; rape up 7 percent; robbery down 2 percent; assault up 11 percent; human trafficking down 39 percent. Property Crimes up 8 percent; burglary down 26 percent; motor vehicle theft up 2 percent; arson down 19 percent; larceny theft up 19 percent. Gun violence is down 7 percent compared to 2021; 5 shooting incidents for the week ending on 6/12/22; total 84 incidents resulting in 94 victims YTD. No homicide for the week ending 6/12/22; there are a total of 20 homicides YTD. 445 guns seized; 91 ghost guns seized YTD.

Significant incidents: Homicide that occurred on June 13, 2022, at Ingalls and Oakdale in the Bayview. Victim was travelling in a vehicle with another person when suspect fired shots at the vehicle. The victim was transported to the hospital by another person and died from injuries. No arrest made; investigation is ongoing. Shooting on June 9, 2022, at Turk and Taylor in the Tenderloin. Victim stated suspect shot him and got into a vehicle. No arrest made; investigation is ongoing. Another shooting on June 9, 2022, at 100 block of Dakota in the Bayview. Suspect discharged a firearm which resulted in an injury to the daughter during a family dispute. Suspect was arrested and charged with attempted murder and willful discharge of a firearm. Another incident, believed to have happened in the Mission where victim self-transported to the hospital and refused to provide information as to where and when he was shot, investigation is ongoing. Shooting on June 11, 2022, at Cesar Chavez in the Mission. Victim was sleeping in a tent when he woke to a sharp pain in his ankle and realized he had been shot, investigation is ongoing. Shooting on June 11, 2022, at 3rd and Newcomb in the Bayview. Victim was located on the ground with a gunshot wound to the chest but victim did not see a shooter. A vehicle collision call was received and witness said that the vehicle was traveling on McKinnon and Third when it collided with a second vehicle. Two occupants from the vehicle ran from the scene. The driver remained and was transported for non-life threatening injuries. Driver was detained at the hospital as unfired bullet was located inside the vehicle that matched the casing at the scene of the shooting. Driver was arrested.

Significant arrests: (1) Repeat organized retail theft suspect that was arrested on June 7th when he entered the Burberry Store at Westfield Mall and stole two items valued at \$3300. The still image of the suspect was shared with SFPD. The suspect had numerous pending cases and, from previous

cases, was fitted with an ankle monitor. It was confirmed that the monitor was at the store at the time of the incident. Suspect was located and arrested on June 10th in San Francisco. (2) Arrest of suspect involved in bank robbery at the 4400 block of Geary. The officer was on bike patrol in the area when robbery alarm went off and call was dispatched. The officer observed the suspect outside the bank, apprehended the suspect with the help from other officers. The officers located the weapon used in the robbery and all the stolen money along with other evidence. (3) Arrest on June 10th, at 29th Avenue and Quintara. Victim was walking with a friend when six suspects surrounded him, knocked to the ground, punched and kicked numerous times and stole jewelry and electronic equipment. Officers responded and located and arrested two of the six suspects.

Major events: Golden State Warriors is one win away from clinching a 4th NBA title, department will be heavily deployed tomorrow night in various districts around the city. If they do win, the Chief asked all the Warriors fans to celebrate responsibly. The Department will be deployed also for all the Juneteenth events and will be deployed if there is a Game 7 on Sunday.

PUBLIC COMMENT

None

DPA Director's Report

- Report on recent DPA activities, and announcement

A/Executive Director Diana Rosenstein reported that they welcomed their summer intern cohorts this week and they are being put to work. She went on to report the following: In the year 2022: 306 cases opened; 298 closed; 268 pending; 33 cases sustained; 18 cases past 270-day; 10 cases mediated. Cases received in the past week: 10 new cases; 2 aggressively confronted a complainant used excessive force and authored an inaccurate incident report; 2 failed to respond to a report of an attack with a deadly weapon and failed to properly investigate an incident; 1 referred to IAD; 1 concealed multiple reports of assaults; 1 blocked a crosswalk and made an illegal turn; 1 illegally detained the complainant and issue a timely certificate of release; 2 referred to outside agency.

PUBLIC COMMENT

Mary, mother of murdered child killed on Nov 17 2007, stated that her son's case is still a cold case.

David Calderon called to provide Ms. Rosenstein his case number.

Commission Reports

- **Commission President's Report**
- **Commissioners' Reports**
- **Commission announcements and scheduling of items identified for consideration at future Commission Meetings.**

Commissioner Elias stated that she hears the public comments regarding pretext stops and that hopefully by the next meeting, the Commission will have an update.

Commissioner Yanez spoke of how young people have a lack of understanding on how to file a report and would like to work on how to get the information out to the public. He also asked the Chief regarding increased in arrest of young people and asked if the Department tracks data if these arrests are being made around the vicinity of schools or programs, and what is the reason for the increased in arrests of younger population. Chief to follow up with Commissioner Yanez.

Commissioner Benedicto spoke regarding the pretext stop DGO. He also reported of attending the memorial of Officer Jon Cook who was killed on duty 20 years ago.

A/Executive Director Rosenstein spoke regarding Commissioner Yanez's question and talked about their Know Your Rights Campaign where they provide information to the youth in general about their constitutional rights when encountering police. DPA is also presenting the Know Your Rights Workshop to schools around the area as well as other city agencies that work with youths.

Commissioner Yee spoke regarding touring the 911 Call Center to find out how 911 calls come into the Department and how it goes out. Sergeant Youngblood will set up the tour for the Dispatch Center.

PUBLIC COMMENT

Unidentified spoke regarding Commissioner Benedicto's comments about swift action regarding pretext stops and stated that DPA case numbers are public record.

Yulanda Williams talked about morale and stated that they are just seeking an equitable fair process for progressive discipline that is fair and also for promotional process that is fair and equitable. She also stated that performance appraisals need to have an end goal and that there should be training on performance appraisals so that when an employee receives their performance appraisal it is not taken as a negative or just checking boxes. She also recommended that when an officer reaches 20 to 25 years of service, the Chief should be alerted to find out how their career has been and to help them transition to civilian life.

PRESENTATION REGARDING SFPD HOMICIDE DETAIL PROTOCOLS FOR FAMILIES OF HOMICIDE VICTIMS

Deputy Chief Vaswani introduced Lieutenant Sanders and Sergeant Levy who presented the SFPD Homicide Detail Protocols for Families of Homicide Victims.

PUBLIC COMMENT

Ms. Paulette Brown spoke of her son, Aubrey Abrakasa, who was murdered August 14, 2006, and that it is confusing if his case is active or not and that it would be nice to get an update from the investigators at least quarterly. She went on to say that her son does not even have a headstone.

George Duran called to support Paulette Brown and the Healing Circle and spoke of collaborating with the FBI to help with cold cases. He also recommended that the Chief and the Command Staff meet with the families quarterly to build trust with the community.

David Calderon spoke of how his mother was murdered in 1992 and stated that in 2018 her case was reopened. He spoke of interaction with Inspector Spillane and stated that the SFPD has refused to reopen his mother's case and that the DPA has closed his case and refuses to speak with him.

Mary Bow spoke of her son's murdered on November 17, 2007 and that his case is considered a cold case and stated that inspectors should contact the families at least twice a year. She stated that in 15 years no one has called her and that she is the one who reaches out. She also expressed concern about having only two retired officers working on 31 total open and active cases.

Kenya Te spoke for her mother who loss two sons due to gun violence. She stated that it's been difficult communicating with Homicide and stated that she left numerous messages but received no call back. She does not know if her brothers' cases are cold cases.

Commissioner Elias asked Deputy Chief Vaswani if there is anything he can do to contact the families and that she will ask him to report back with an update.

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner Elias, second by Commissioner Yee. Approved 6-0

(AYES: Commissioners Benedicto, Yanez, Carter-Oberstone, Byrne, Yee, Elias)

CLOSED SESSION (7:07 p.m. – 7-18 p.m.)

Roll Call;

a. THE COMMISSION IS NOT MEETING WITH THE SF POLICE OFFICERS ASSOCIATION IN CLOSED SESSION.

CONFERENCE WITH LABOR NEGOTIATOR – COLLECTIVE BARGAINING. This item is for the Commission to meet in closed session with their labor negotiator and provide direction for bargaining with the San Francisco Police Officers Association (POA). The POA is not permitted to attend this closed session meeting.

Pursuant to Government Code Section 54957.6 and San Francisco Administrative Code Section 67.10(e):

City Negotiator: LaWanna Preston, SFPD Labor Relations Director

Organization representing Police Officers: SF Police Officers Association

Anticipated Issues Under Negotiation: Department General Order 3.01, "Department Written Directives"

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Yanez, Benedicto, Chief Scott, Assistant Chief Moser, Deputy City Attorney Cabrera, Deputy City Attorney Meera Bhatt, Director Preston, Sgt. Youngblood, Sgt. Reynolds, Risa Tom, Isabelle Choy)

b. PERSONNEL EXCEPTION. Pursuant to Government Code Section 54957(b)(1) and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:

Status and calendaring of pending disciplinary cases (ACTION)

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Yanez, Benedicto, Chief Scott, Assistant Chief Moser, Sgt. Youngblood, Sgt. Reynolds, Risa Tom)

OPEN SESSION (7:18 p.m.)

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

Motion by Commissioner Byrne, second by Commissioner Elias for non-disclosure. Approved 6-0.

(AYES: Commissioners Benedicto, Yanez, Carter-Oberstone, Byrne, Yee, Elias)

PUBLIC COMMENT

None

ADJOURNMENT

Thereafter, the meeting was adjourned at 7:20 p.m.

Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission